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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,948	12/07/2000	Michael Wray	B-4052 618408-0	2780

7590 04/21/2005

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EXAMINER

WRIGHT, NORMAN M

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,948

Applicant(s)

WRAY, MICHAEL

Examiner

Norman M. Wright

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 12 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 14-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


NORMAN M. WRIGHT
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-11 and 14-30, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. As to claims 1, it recites a computer readable memory storing an electronic certificate that has certain attributes. As such it is not believed to be a data structure, as no data structure has been recited. It is not believed to be a method or process claim since applicant argues dependent claim 10 concurrently with apparatus claim 11. Accordingly, claims 1-10 are believed to be a memory device claim, consisting of a memory storing either functional or non-functional descriptive material. As such, it fails to distinguish over any other computer memory storing a certificate.

4. As per claim 11, applicant has recited an apparatus for generating an electronic certificate having a data handling and signature arrangements. These features of the apparatus claim fails to distinguish from the prior art in terms of structure rather than function, see MPEP 2114. Specifically, there only appears to be a recitation that the engine be implemented by a general purpose computer having memory and appropriate programming, see aapa page 11, 1st para.

5. Similarly, clams 19 and 25, recite a reduction engine for verifying or finding a trusted chain of attributes. Claims 1,11, 19 and 25 all appear to be reciting either a

device or an apparatus claim that fails to distinguish over the prior art in terms of structure rather than function, accordingly, the metes and bounds of the claims are not clearly determinable. Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9, 11, 14-17, and 19-23, 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art, hereinafter 'aapa'.

As per claims 1-9, 11, 14-17, AAPA teach a digitally signed certificated having: content data, identified issuer/data handling arrangement, a certificate subject, a electronic signature/signature arrangement, a condition requiring a particular/generic subject, a particular attribute, attribute delegation, cert subject specifically identified, particular subject implicitly and explicitly identified, multiple conditions, predetermined logical relationship, both explicitly and implicitly suggested, and validity data. See aapa

figure 1-4, page 2, lines 5 et seq., page 3, lines 1-7 et seq., page 6, lines 2 et seq., page 3, lines 10-20, page 4, line 1-3, and page 6, line 27 et seq. AAPA teaches that certificate content for a particular subject may be inferred or explicitly transferred between particular subjects, which have a predetermined logical relationship see the background of the invention. Moreover the relationship may be implied or explicitly as taught at aapa pages 2-4 et seq. A condition in aapa is that the particular party must be able to respond to the challenge –response transaction by knowing the key pair used to encrypt the data. Not explicitly taught is the certificate being stored in a memory.

It is inherent that the SPKI certificate of figures 1-4 are stored in a computer readable memory because, computer systems that utilized electronic certificates must buffer the certificates before they can be utilized in a computer system. This is the convention in the data processing arts; moreover, the use of computer readable memories are utilized in data processing systems for holding data and programs that the computer system needs to accomplish its programming.

Similarly claims 19-23, 25-29, use the terms reduction/trust discovery engine, trust chain verifier/builder, and trust chain branch control are defined in the disclosure as a means of proving a trust relationship, via branches or trust chains being built from justifying certificates. Utilizing the delegated rules and names to establish such relationships, either from a known trusted chain or at the end of the trusted chain, see disclosure page 9 et seq.. In this instant the engine general-purpose compute is utilized to effect the verification and authorization of trusted chain links, more particularly the certificate content management of trust from one link to another, page 11, lines 1-5 et

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seq.. Additionally, the process functions the same regardless of what the engine or computer and its associated routines are labeled.

Claim Objections

7. Claims 10, 18 and 24 are objected to as being dependent upon a rejected base claim.

Response to Arguments

8. Applicant's arguments filed 12/6/04 have been fully considered but they are not persuasive. Arguments are moot in view of new grounds of rejection, recited above.

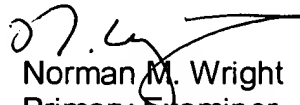
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman M. Wright whose telephone number is (703) 305-9586. The examiner can normally be reached on 5/4/9 compressed week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Norman M. Wright
Primary Examiner
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